AMENDMENT

Please amend the application, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

In the Claims

1. (Currently amended) An isolated nucleic acid molecule with the function of a caryopsis-specific promoter, which nucleic acid molecule:

a) comprises the nucleic acid sequence defined by nucleotide 1-4683 of Seq ID No. 1;

b) comprises one or more sequence elements selected from the group consisting of Seq ID No. 2; Seq ID No. 3; Seq ID No. 4; Seq ID No. 5; Seq ID No. 6; Seq ID No. 7; Seq ID No. 8; Seq ID No. 9 and Seq ID No. 10;

c) comprises a functional portion of the nucleic acid sequence stated under a);

d) comprises a sequence which hybridizes, under stringent conditions, with at least one of the nucleotide sequences stated under a) and/or b); and/or

e) comprises a sequence which has ~~approx. 60-99% identity, preferably~~ approx. 75-99% identity~~, in particular approx. 90-99% identity and very especially preferably approx. 95-99% identity~~ with one of the nucleic acid sequences stated under a).

2. (Currently amended) ~~A~~ The isolated nucleic acid molecule as claimed in claim 1, which is a promoter active in monocots.

3. (Original) An expression cassette comprising a nucleic acid molecule as claimed in claim 1.

4. (Original) A vector comprising a nucleic acid molecule as claimed in claim 1 or an expression cassette as claimed in claim 3.

5. (Currently amended) ~~A~~ The vector as claimed in claim 4 which is suitable for transforming plant cells.

6. (Original) A host cell which is genetically modified with a nucleic acid molecule as claimed in claim 1, with an expression cassette as claimed in claim 3 or with a vector as claimed in claim 4.

7. (Currently amended) ~~A~~ The host cell as claimed in claim 6, which is a pro- or eukaryotic cell.

8. (Currently amended) ~~A~~ The host cell as claimed in claim 6, which is a plant cell.